

PROD 13C
(7.93)Report Date: FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**United States District Court**

for the
Eastern District of Washington

AUG 28 2012

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision**Name of Offender:** Martin Patino**Case Number:** 2:08CR02082-001**Address of Offender:** ...

...

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge**Date of Original Sentence:** 6/17/2009**Original Offense:** Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)**Original Sentence:** Probation - 60 Months **Type of Supervision:** Probation**Asst. U.S. Attorney:** Thomas J. Hanlon **Date Supervision Commenced:** 6/17/2009**Defense Attorney:** Rick Lee Hoffman **Date Supervision Expires:** 6/16/2014**PETITIONING THE COURT****To issue a summons.****The probation officer believes that the offender has violated the following conditions of supervision:****Violation Number** **Nature of Noncompliance**

1 **Special Condition # 16:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Patino failed to submit to random urinalysis testing at Merit Resource Services on July 10, and August 21, 2012.

2 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Patino was cited for failure to renew expired registration, two counts of failure to use child restraint, Yakima County District Court cause number 2Z0575574 and third degree driving while license suspended, Yakima County District Court cause number 2Z0575573 on August 3, 2012.

According to the Yakima County District Court docket, Mr. Patino was cited on the above-noted charges August 3, 2012. Mr. Patino's next court hearing regarding these charges is set for September 11, and 20, 2012.

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3 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Mr. Patino failed to notify this officer he had law enforcement contact within 72 hours of being cited for failure to renew expired registration; two counts of failure to use child restraint; and third degree driving while license suspended on August 3, 2012.

On August 13, 2012, the U.S. Probation Office received a law enforcement notification that Mr. Patino was cited for the above-noted charges. Mr. Patino did not mention the above citations until he submitted his monthly report form on August 16, 2012, well beyond the required 72-hour notification of law enforcement contact.

4 **Special Condition # 18:** The defendant shall complete 40 hours of community service within 120 days from April 23, 2012.

Supporting Evidence: Mr. Patino failed to perform his 40 hours of community service as ordered as of August 23, 2012.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/23/2012

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

[] No Action
[] The Issuance of a Warrant
[X] The Issuance of a Summons
[] Other

s/Fred Van Sickle

Signature of Judicial Officer

August 28, 2012

Date